

**COMMISSION CONFERENCE****JANUARY 23, 2002****Agenda**

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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

**I-A – Citizens Board of Recognition**

The Commission was scheduled to consider recommendations made by the Citizens Board of Recognition to designate the following individuals for the honorary titles listed for the year 2002:

Tim Schiavone, Citizen of the Year  
The Honorable Judges Estella and W. Herbert Moriarty, Distinguished Citizens  
Andrew DeGraffenreidt, Honored Founder  
Chuck Ritchie, Exemplary City Employee

Mayor Naugle noted that this item would be presented for a formal vote. Ms. Leslie Backus, Public Information Office, advised that the date had not yet been set, but March 19, 2002 was being considered for the ceremony. Commissioner Katz was pleased to see some minorities on the list.

**Action:** Approved.

**I-B – Request for Proposals (RFP) – Former New River Post Office Site**

A discussion was scheduled about the drafted RFP for the development of the former New River Post Office Site. Commissioner Hutchinson understood the Performing Arts Center Authority (PAC) was an integral part of this area, and she hoped the RFP would include some sort of theater component. She asked the City Attorney to address the subject. The City Attorney said the concept suggested by Commissioner Hutchinson would essentially call for a merging of the two principal activities considered in the past. He recalled that the Commission had decided to hear from both the private and the non-profit sector of the community in terms of proposals for the use of the site. Due to the good work PACA did and the potential for a grant, he thought the RFP could be modified as suggested.

Mayor Naugle understood Commissioner Hutchinson was suggesting including a 300-seat theater in the RFP. Commissioner Hutchinson was interested in some type of theater component, but she did not intend to design a theater by means of the RFP. She was seeking some connection with the existing facility as an option. Mayor Naugle pointed out that this was Riverfront property, and there was already a theater in existence. He also noted that there were under-utilized theaters at the Museum of Art and at the Library. Mayor Naugle also felt that theaters had an interior focus rather than a relationship in the surrounding waterfront area. He was hoping for a more water-oriented use on this site. Commissioner Hutchinson thought the PACA had a great track record, and the grant would help fund a portion of the project. She felt it was an option.

Commissioner Smith thought that of all the proposals seen so far, the PACA proposal was the most exciting. There had also been some new developments involving a national entity willing to team up with PACA to do something on this site. He had been disappointed that the City had not reached out far enough nationally, to such entities as Ripley's Believe It or Not. It appeared the RFP was still confined to the several ideas the Commission already knew about. Commissioner Smith did not want to stand in the way of any national search effort but, at the same time, he was not prepared to give up on the grant.

Commissioner Katz suggested the PACA pursue the grant since it would be the entity to come up with the matching money. She thought perhaps the RFP could be deferred for a month or so. Commissioner Hutchinson thought the PACA would seek the grant no matter what. Commissioner Smith wondered when an answer about the grant would be forthcoming. Mr. Chuck Adams, Economic Development, believed the County was scheduled to make a decision on March 4 or 5, 2002.

Mayor Naugle hoped it was not the case but, if the Commission had already decided about PACA, the RFP was not required. He did not see much point in preparing an RFP that was only suited to one entity. Commissioner Hutchinson wanted to hear other proposals. Commissioner Moore did as well because he felt all the options should be explored, and the PACA might not obtain the grant.

Mayor Naugle wondered if the grant would also be good for the Symphony House site that was discussing coordination of some type of development with the PACA. Commissioner Smith thought that was a good question. Commissioner Moore felt the marine related museum could go on the Symphony House property or the struggling historic properties, but he wanted to see what the RFP process would yield.

The City Manager referred to outreach. He said he had conversations with representatives of Ripley's Believe It or Not and some people who were interested in some type of aquarium. However, in both cases, the parties did not care to participate in the competitive process. Commissioner Smith understood Mr. Swerdlow was the developer for Ripley's, and it was he who had not been interested in competition, but he did not own Ripley's. The City Manager advised that there had also been another representative from Ripley's, and he had not seemed interested in the process either.

Commissioner Katz wanted to ensure that whatever was done would fit into the entire "picture" with the Performing Arts Center, the historic area, the Museum of Science and Discovery, and the general Arts & Science District. She was not interested in more shops and bars in this area, although everything should be linked. Commissioner Smith did not think there were enough local entities to attract the type of thing Commissioner Katz desired. Therefore, he felt the City should reach out to all 50 states. Commissioner Katz had no problem with the RFP, but she felt a theater component should be allowed. Mayor Naugle believed that was allowed, although it was not required.

*Mr. Steve Tilbrook*, representing the PACA, stated that he had been working with staff over the past few months to put the grant application together, and it involved a grant of up to \$5 million. He advised that the PACA would match up to \$5 million, but a resolution of support was needed from the City Commission on February 5, 2002. Mayor Naugle believed staff had already pledged support. Mr. Tilbrook requested a formal resolution about establishing a theater at this site, although the City would have no obligation. If there was a preference for a theater, pursuit of the grant could continue if a resolution was adopted.

Mayor Naugle asked what the resolution itself would state. Mr. Tilbrook replied that it would state that the City encouraged and participated in a grant application for an art park and cultural center on the post office site. It would also acknowledge that the matching funds would come from the PACA, and the City had no financial obligation, but it had to be a partnership. Mayor Naugle was concerned about sending a message that preference would be given to one of the bidders before the RFP was even released.

Commissioner Katz asked if a resolution like that could be written without putting the City into a "box" on the RFP. The City Attorney replied that no matter how carefully the resolution was worded, it would express a preference for one type of project. Commissioner Smith said he might be willing to go in that direction if the PACA had a national, world-renowned jazz outfit interested in the site as he had heard.

Commissioner Moore asked if the PACA would still be interested in this site if the grant were not forthcoming. *Mr. Mark Neurenhauser*, of PACA, believed there would still be interest, although he did not know if it would be financially feasible. Commissioner Moore felt the process should be left open so that everyone interested could participate. Commissioner Smith wondered if the County would postpone the grant decision until April. The City Manager said that anything was possible, but he believed a delay would cause problems for the County because it might demonstrate a preference for this grant application over others.

Mayor Naugle concluded that the City could put off the RFP until a decision had been made on the grant or to go forward with no preference. Commissioner Katz saw no reason to rush. Commissioner Moore wondered if that would be disturbing to other parties interested in the site. Mayor Naugle agreed other parties might not be interested in preparing a proposal if it appeared the City had already decided on the PACA proposal.

*Mr. Robert Lochrie* stated that another option, since it was not clear who would win the grant, might be to carve out a piece of the site for a theater and letting the general public compete on the remainder of the site, and the PACA could work with whatever developer presented the best proposal. Mayor Naugle wondered which part of the parcel could be carved out. *Mr. Alan Hooper* thought an area facing the Esplanade might be appropriate, and there was plenty of property for developing around it.

Commissioner Moore asked Mr. Lochrie if he objected to holding the RFP process until the County's grant process had been completed. Mr. Lochrie preferred to move forward now.

*Ms. Susan Bussy*, of the Broward Art Guild, favored the arts, and the grant would benefit the community, the district, and tourism. However, the site had been vacant for a long time already, and she did not think a delay would solve any problems.

Commissioner Smith was willing to wait, although even if the PACA successfully obtained the grant, it would not absolutely mean the PACA project would be selected. Mayor Naugle asked if the Commission was willing to adopt a resolution on February 5, 2002 agreeing to enter into the grant application. Commissioner Smith had no objection. Commissioner Moore said that if there were any other applicants for this grant involving the same site, the City would have to make the same type of pledge.

Mayor Naugle noted that the grant application had never been brought to the City Commission. Commissioner Katz believed that was due to the fact that no one had thought the City could provide the matching funds. Commissioner Smith wondered how many applicants there were for the grant, and he was advised there were six applicants with only one from Fort Lauderdale.

Mayor Naugle thought it would be unfair to move forward with the RFP now because he would not want anyone to invest time in a proposal. He saw no reason not to put it off and schedule this for the March 19, 2002 meeting with a resolution presented in February as discussed.

**Action:** Reschedule item for March 19, 2002. Resolution in support of grant to be considered on February 5, 2002.

### **I-C – Urban Design Core Steering Committee**

The City Commission was scheduled to recommend individuals to serve on the Urban Design Core Steering Committee. Commissioner Katz said she planned to reserve her opening for someone from the Downtown Development Authority. Commissioner Moore suggested Kenneth Hawkins and Jennie Brooks. Mayor Naugle asked Commissioner Katz whom she had in mind, and she identified Jerry Sternstein for now. Mayor Naugle asked staff to post the meetings of the Committee and ensure minutes were maintained.

**Action:** As discussed.

### **II-A – Employment Issues**

A status report was presented on the City Manager's recommendations resulting from Judge Henry Latimer's report regarding his investigation of complaints on employment practices in the City, as requested by Commissioner Katz. She referred to the organizational assessment on the first page of the back-up memorandum and asked if the climate survey was really necessary. The City Manager did not think everyone knew how everybody felt about the issue. He said he'd had a discussion with the Editorial Board of the "Sun Sentinel" over the very same issue. He explained that Judge Latimer had interviewed about 81 people, but the City had a work force of about 2,600 employees. In order to specifically address the concerns of the entire work force, the City Manager believed a survey was necessary to obtain as much information from all of the employees as possible, and he felt the City should engage in these types of surveys routinely.

Commissioner Moore said he was supportive of whatever management felt was necessary to remedy the situation. Since the City Manager felt this was the appropriate process, structure and training, he wanted to see the effort moved forward. The City Manager noted that Judge Latimer's report indicated that some employees did not feel past efforts had been completely inclusive. Rather than further that perception, he preferred to conduct a survey of the entire work force and identify particular issues or concerns in specific work units.

Commissioner Smith wondered if it would make sense to keep management employees off the evaluation committee. He did not want anyone to think top management had influenced the process, and he believed the survey results would have greater credibility. The City Manager did not believe the work force viewed all management as bad or as being insensitive, and he had been trying to strike a balance. He noted that this was a problem that affected employees at all levels, and he thought there should be representation from all levels on the evaluation committee. However, no undue weight would be given to any particular level.

Commissioner Katz referred to the job description for the position of Director of Department of Professional Standards. She desired a "drop dead" date when the job would be advertised. Mr. Bud Bentley, Assistant City Manager, stated that the recruitment brochure had been finalized, and staff was discussing the recruitment procedure and proposed salary, and a recommendation would be presented on February 5, 2002. The job would then be advertised as soon as publication schedules allowed, and those dates would be presented on February 5, 2002 as well. The City Manager added that his reference to the recruitment process being underway related to the fact some applications had already been received.

Commissioner Katz wondered if employees experiencing problems now knew whom to contact. The City Manager advised that no one seemed to be having any problems finding Mr. Crown in the Credit Union building. Commissioner Katz asked that something be posted in every department about who to speak to if there were any concerns. She noted that there were employees out in the field who did not have e-mail addresses, and she wanted to ensure they were kept informed. Mr. Bentley stated that the e-mail about the policies also indicated that the information should be posted and employees in the field kept informed. Commissioner Katz wanted someone to check to see the information was posted in every department, and she wanted to see the policy when the brochure was presented on February 5, 2002.

Commissioner Smith asked where the Department of Professional Standards would be located. The City Manager said his philosophy behind having the office located outside City Hall was to avoid any chilling effect while still making the location conveniently accessible. Mayor Naugle believed the majority of the City's employees worked outside City Hall.

Commissioner Katz referred to the training curriculum mentioned in the back-up memorandum. She asked when that would be provided to the City Commission. The City Manager said he would provide a date when it would be presented via Friday memo by the end of the week.

Commissioner Katz said her last concern involved the newspaper articles. She had noticed that not all of the information they contained was correct, perhaps because only one side of an issue was presented. She thought there should be someone assisting the City in getting out its side of the story because its reputation was going downhill, and she felt both sides of the story should be told. Commissioner Katz felt a balanced approach would be fair.

Commissioner Smith thought the recent expose in the "Sun Sentinel" had been balanced. Commissioner Katz felt it was in some respects, but she did not think the whole story had been told. Mayor Naugle wondered if that was due to the fact that some people had been advised by attorneys not to comment. Commissioner Katz thought it was because other people had not been asked about it. Commissioner Smith added that other large employers probably had certain problems as well, but no one had drawn any comparisons to show where Fort Lauderdale stood.

The City Manager recalled that the City had enjoyed the services of Sunshine Communications at one time, and staff had gone to the Editorial Boards of both major newspapers in an effort to achieve some balance. He could not say it had been very successful, and there had been very little reporting of situations in which the City had prevailed in court. However, if the City lost a case, there were banner headlines. Therefore, although he intended to continue to try, he did not know the City would ever achieve complete balance in this respect.

Mayor Naugle felt the situation had improved, although he acknowledged the problem and thought the City had a long way to go to resolve it. He thought the City needed to change some of its standards and practices because he did not feel they went far enough. Mayor Naugle did not believe things would really change until “some of the dinosaurs were sent out to pasture.” He did not think that had to take years, and he did not believe the problems had been overstated.

Commissioner Katz pointed out that the City was taking a financial “hit” because of the situation in terms of insurance costs, etc. She did not necessarily think a public relations firm was the answer, but she did think the City needed someone to train staff in “crisis communication.” Commissioner Katz advised that there were courses available. The City Manager said one aspect of crisis communication was ensuring that issues did not come as surprises to the elected body, and he was concerned about the type of pieces published, particularly in terms of weekly media. He believed that trying to answer every question “tit for tat,” only helped sell newspapers and did not seem to change anyone’s mind.

Commissioner Smith felt the City Manager should move ahead as boldly and as quickly as possible. He referred to the Policies and Standards Manual. He had noted that sexual orientation had not been included. The City Manager understood the issue had been presented to the City Commission before he had taken his position, and the Commission had not explicitly included it. Commissioner Smith noted that had been before he was a Commissioner, and he wanted to specifically include sexual orientation.

Mayor Naugle believed the Policy and Standards Manual could be amended to include sexual orientation without formal Commission approval. The City Attorney agreed that was correct. The City Manager understood the Commission wanted to amend Section 14.1.1 to include sexual orientation. Mayor Naugle also felt Section 14.1.2 under “sexual harassment” should be amended as well to prohibit bosses from having relationships with people they supervised because that caused so many problems in the workplace, and most organizations had such rules. In addition, he thought there should be prohibitions on managers having employees do work in their homes.

Mayor Naugle inquired about basic training for frontline supervisors. The City Manager said he recommended mandatory training for everybody. Mayor Naugle asked when the training would take place. He felt it should occur as soon as possible after someone was promoted, even while they were serving in an acting capacity. The City Manager noted that some of the training could be made available online for employees to take on their own time in preparation for promotional opportunities so they would have the training before promotion whenever possible. When that was not possible, he felt the training should be completed within a reasonable period of time to remain eligible.

Commissioner Moore had no objection to any of the recommendations presented by the City Manager or discussed by the Commission. He believed, however, that the real solution lay in empowering people through economic development. He felt the City should conduct a disparity study in order to empower people in the community to do business with government. He also hoped a process could be developed so that minority or disadvantaged businesses could report to the City Commission about any difficulties they might have encountered when doing business with the City. He noted that the Midtown Business Association, the Minority Builders Association, and a number of other advocates for business that could be helpful.

Commissioner Moore believed there had to be some form used so that when misinformation was reported in the media, the City Commission would receive a bimonthly update about what had been done to correct misperceptions. He envisioned some type of fact sheet printed every 60 days about how the City had addressed issues, and a minority printer could even be utilized.

Mayor Naugle understood Commissioner Moore was suggesting something that would be distributed to the public. Commissioner Moore thought it could be handled a number of ways, including publishing the information on the web page, sending it out with water bills, or distributed through the Council of Fort Lauderdale Civic Associations. Commissioner Smith felt every 30 days might be a better schedule than every 60 days.

Commissioner Moore wanted employees to truly feel they knew the procedure if they felt they had been wronged. He said that timeline was more important to him than anything else because if a complaint was lodged and nothing was done for 90 days, it made the situation even worse. He felt that when someone filed a complaint, they should know they would receive a response within a certain number of days. The City Manager noted that timelines of this nature were set forth in the agreements with the bargaining units in terms of grievances and arbitration, and those schedules were rigidly adhered to.

**Action:** Approved as discussed.

## **II-B – Economic Development Workshop**

A report was presented on the proposed City Commission economic development workshop to be held in February, 2002, as requested by Commissioner Katz. Mayor Naugle asked how the stakeholders listed in the back-up material had been selected because it seemed to represent a rather narrow segment of the community. Mr. Pete Witschen, Assistant City Manager, explained that the purpose of this discussion was to ensure the Commission was comfortable with the participants. Mayor Naugle felt someone from the hotel industry, the Marine Industries Association, and the Realtors Association would be very helpful. Commissioner Moore wanted to ensure the entire business community was represented, including representatives from Uptown and Midtown as well as Downtown.

Commissioner Smith did not think the Commission had ever settled on a definition of economic development, although everyone had agreed it was a Citywide issue. Yet, staff seemed to be taking a position that it basically involved downtown. He felt economic development involved industries, downtown, uptown, the foreign trade zone, etc. Mr. Witschen felt it included community development, redevelopment, and staff had been focusing on the role of the Economic Development Division.

Commissioner Smith wondered which part of the Division would, for example, ensure that new shopping businesses opened on State Road 84 or Davie Boulevard. Mr. Witschen felt that would fall under the category of small business advocacy, unless it was located within the CRA. Commissioner Smith felt a workshop on the whole topic was necessary because it did not appear everyone was “talking the same language.” Commissioner Moore agreed with the idea of targeting high wage jobs, but that was not all there was, and such a focus would have a lesser result on areas such as 13<sup>th</sup> Street or Sistrunk Boulevard.



Mr. Witschen advised that a revised agenda could be brought back to the City Commission. Commissioner Moore said he supported ideas related to the Enterprise Zone and the Foreign Trade Zone, etc., but he hoped the workshop would help explain the purpose and intent of those things and educate the policy makers and the business community of the benefits involved. Commissioner Katz thought someone was needed to head the workshop who knew what economic development was, and she had some materials from someone who had appeared before the Commission some time ago and had done similar work in another community. She explained that she was not suggesting the use of this particular individual, but some type of facilitator was necessary at the forefront to pull this all together.

The City Manager thought perhaps a two-step process might be necessary because there could be different visions of economic development among the Commission members itself. He also felt a facilitator could be helpful in defining a plan, but he thought a session with the Commission and staff might be a proper first step. Commissioner Katz believed a facilitator would bring everyone together to form a consensus. She saw no point in inviting all the stakeholders to a workshop if there was no path to follow to a certain point. The City Manager understood that and did not think all the stakeholders should necessarily participate in the first step. Mayor Naugle thought it was important to listen to the “customers” first before the Commission decided on a course of action. Commissioner Katz agreed, but she wanted someone to help identify existing strengths upon which to build.

Commissioner Smith was concerned that a workshop might become unmanageable. He thought it might be best to address the downtown/uptown issues first and then bring in all the other areas later. He pointed out that a high vacancy rate in these areas could have reverberations throughout the community. Commissioner Smith felt the first step would be to determine how the Economic Development Department should be structured on a rudimentary level. Mayor Naugle suggested that models from other successful cities be considered.

The City Manager thought Fort Lauderdale was fairly unique and had been blessed with good economic times. Commissioner Smith felt a new day was coming. The City Manager agreed, but nothing had occurred downtown or at the beach overnight, and there were still some issues that had not yet come to fruition. He thought the various segments would have to be addressed in order to arrive at an overall plan that could be implemented. The City Manager suggested that the scope be widened in terms of participants for one phase of this and consider some other models. He felt the last part of the process would be to formulate a plan, identify resources and determined short- and long-term priorities in terms of economic development.

Mayor Naugle suggested that the activities of other agencies also be examined in order to avoid duplication of efforts. He noted that the City already provided funds to some agencies, and he felt they should have identifiable goals and objectives so performance could be measured. Commissioner Katz still felt a leader was necessary. The City Manager advised that staff had considered Dick Clark, and Commissioner Smith suggested Tom Newman. Mr. Witschen believed there were resources within the community.

Mayor Naugle asked if a date had been set for the workshop, and the City Clerk advised it had been set for February 14, 2002 at 2:00 p.m.

**Action:** As discussed.

## **II-C – Broward County Homeless Assistance Center (HAC) – 2001 Compliance Report**

A report was presented on the Broward County HAC's 2001 Compliance Audit Report. Commissioner Smith wondered how things were in Districts 3 and 4 as some problems had been discussed in those areas recently. Commissioner Hutchinson said there had been some problems on State Road 84 and a block north of Las Olas Boulevard, but it appeared the police were addressing the situation.

Commissioner Moore was concerned about the feedings that were going on every day. He felt there should be policies and procedures on how these things were operated because there was litter and debris, and there was a lack of respect evident.

At 3:43 p.m., Commissioner Katz left the meeting. She returned at 3:45 p.m.

Commissioner Moore said that he had no problems with the HAC itself. Mayor Naugle requested a report about enforcement activities relating to the feeding activities on Broward Boulevard. He felt the property should be cleaned up, and he wanted to know about the status of the western HAC. Commissioner Moore suggested staff contact the operators of the feeding programs because if they could not respect the surrounding community, they should not be allowed to operate.

**Action:** As discussed.

## **II-D – Accelerated Capital Improvement Program (CIP) Quarterly Report – Fourth Quarter of 2001 (October through December)**

A report was presented on the accelerated CIP for the fourth quarter of 2001 (October through December). Commissioner Hutchinson referred to the 11<sup>th</sup> Avenue Swing Bridge. She wondered if that project could include a rest room so the "port-a-potty" could be removed. Mayor Naugle thought that might be easier when sewers were brought into the area.

At 3:47 p.m., Commissioner Moore left the meeting.

Mr. Greg Kisela, Assistant City Manager, said it had been learned a few years ago that the bathroom for the bridge tender was directly connected to the New River, so the "portolet" had been installed. He understood that was no longer being used, and some type of incinerator system was being used instead, but he would look into it.

**Action:** As discussed.

## **II-E – State Legislative Funding Issues**

A report was presented on the City's funding requests submitted for the 2002 State Legislation session.

**Action:** Status Report.

### **III-B – Advisory Board Vacancies**

1. Code Enforcement Board

Commissioner Smith wished to appoint Sam Mitchell as an alternate member of the Code Enforcement Board. Commissioner Hutchinson suggested Sara Horn as another alternate member. Commissioner Katz wanted to move Pat Hale from an alternate position on this Board to a regular position. Mayor Naugle suggested the reappointment of Gerald Jordan. Commissioner Smith suggested that Rixon Rafter and John F. Phillips also be moved from alternate to regular positions on the Board. It was agreed.

**Action:** Formal action to be taken at Regular Meeting.

2. Community Appearance Board

**Action:** Deferred.

3. Community Services Board

**Action:** Deferred.

4. Economic Development Advisory Board

Commissioner Smith wanted to appoint Bunney Brenneman to the Economic Development Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

5. Unsafe Structures and Housing Appeals Board

**Action:** Deferred.

### **III-C – Sunrise Intracoastal Neighborhood Security District Board Appointments**

It was recommended that the following individuals be appointed to the Sunrise Intracoastal Neighborhood Security District Board for staggered terms as follows: H. Tom Jones and Joseph F. Smith, Jr. (January 2002 to January 2003); David McNulty (January 2002 to January 2004); Fritz Polatsek, Ellen Tomlinson, Jack Trout and Geri Udell (January 2002 to January 2005).

**Action:** Approved.

At 3:52 p.m., the meeting was recessed for an executive closed-door session regarding litigation strategy in connection with the following cases:

1. New River Development Partners, Ltd. v City (Case No. 01-8129[14])
2. Katrenia McCutchen v City (Case No. 99-6845-CIV-FERGUSON)

The meeting was reconvened at 5:20 p.m.

## **IV – City Commission Reports**

### **1. USS Hoga**

Commissioner Hutchinson thought it was time to put the issue of the USS Hoga on a Conference agenda. She did not think a permanent mooring site had been settled, but it appeared the organization thought otherwise. Commissioner Katz agreed it should be scheduled as soon as possible.

**Action:** Subject to be placed on the February 5, 2002 Conference Agenda.

### **2. State Road 84**

Commissioner Hutchinson reported that she had spoken with Mr. Partington about enhancement money for State Road 84. She understood there was money available for the design work, and she wanted to encourage the City Manager to determine how to obtain the design money. Commissioner Hutchinson wanted to ensure there was a design ready to go when the enhancement money became available from the Florida Department of Transportation.

**Action:** As discussed.

### **3. Florida Power & Light Company (FPL)**

Commissioner Hutchinson said she had thought the Commission had asked the City Manager to get a consultant to examine FPL's plan for the power lines discussed recently. Mayor Naugle did not believe consensus had been reached, although he had raised the subject. He felt someone who "spoke the language" would be helpful because otherwise, FPL would just say things could not be done. Commissioner Moore thought that if the City did not have someone with the proper background, a consultant should be retained.

At 5:25 p.m., Commissioner Moore left the meeting. He returned at 5:26 p.m.

Commissioner Katz suggested that staff work with the County in this regard. She felt the City Attorney and County Attorney might be able to come up with a way to handle this issue, and it had also been suggested that the City send a letter to the Public Service Commission indicating it could not allow FPL to destroy neighborhoods. She was outraged and did not feel Fort Lauderdale should be treated any differently than the western communities.

Mayor Naugle noted that there were cities in Florida that operated their own utilities, so there might be someone who could consult. It was the consensus of the Commission to obtain a consultant.

Commissioner Smith wondered if the FPL project was really intended to serve customers in the Victoria Park and Colee Park neighborhoods or to provide a transmission line to service the beach. Mayor Naugle believed the FPL representatives had acknowledged that it would serve Las Olas Isles, but not the beach. Commissioner Katz understood FPL had made different indications to the County than it had to the City. Commissioner Smith reported that he had sent a letter to FPL to verify in writing the intent of this project.

The City Attorney stated that he would approach the County Attorney in this regard. Commissioner Hutchinson said that once this battle was over, she felt existing substations should be examined as well as those that were planned. She believed there were cities across the nation that had standards in place, and she felt similar standards should be developed in Fort Lauderdale.

Mr. Bud Bentley, Assistant City Manager, reported that a bill had been filed in Tallahassee, which would basically preempt local Codes for the siting of substations. Staff was still doing an analysis and was working with the League of Cities. He advised a report would be presented after the analysis was complete.

Commissioner Moore believed that when large companies could not get what they wanted locally, they lobbied the State Legislature. Therefore, he felt it was important to meet with the State Legislators in this regard. Mayor Naugle asked who would be attending Broward Days in Tallahassee on behalf of the City. Mr. Bentley replied that Kim Jackson would attend. Mayor Naugle hoped there would be others attending as well. Mr. Bentley reported that the charter left Tuesday morning and returned Thursday afternoon. Commissioner Smith believed a lot of community activists planned to attend.

Commissioner Moore was concerned about the landscaping bill. Mr. Bentley said he would obtain more information and provide a clarification. Commissioner Smith suggested a counter bill. He also suggested a resolution opposing the bill this evening. Mr. Bentley believed it would be helpful to contact the County because the bill would preempt the ordinance the County was developing. Mayor Naugle suggested Commissioner Katz contact the County.

Mr. Bentley added that the City could sponsor one of the luncheons in Tallahassee, and the estimated cost was \$400 to \$500.

**Action:** As discussed. Resolution to be presented at Regular Meeting.

4. Joseph C. Carter Park

Commissioner Moore was very concerned about the construction schedule for Joseph C. Carter Park. He advised that the community had been very understanding about the State causing delays, but it did not appear the established schedule was being followed. Mr. Pete Sheridan, Engineering Division, stated that the permit process was being expedited, and he hoped bids would be taken in February or March. Commissioner Moore had thought bids were going to be taken in October. Mr. Sheridan believed it had been anticipated that bids would be sought by the end of the year, but there had been delays. Commissioner Moore wanted to find some way to get this project back on track. The City Manager said he would make every effort to expedite the project.

**Action:** Project to be expedited.

5. Business Without Occupational Licenses

Commissioner Moore stated that there were several businesses operating without occupational licenses and in violation of the zoning regulations. He advised that the process took two to four weeks, and then the Special Master usually afforded another week to comply. If compliance did not occur, fines were imposed. It was his understanding that once the fines reached \$1,500, a Notice to Appear might be issued, and the property could then be lienied. Commissioner Moore felt the process was too long. He believed Broward County and Plantation, for example, had shorter processes. It was the consensus of the Commission to consider an ordinance amendment in this regard.

**Action:** Ordinance amendment to be prepared.

6. Cooperative Feeding Program

Commissioner Moore was concerned about the impacts the Cooperative Feeding Program was having on the community. It created an unwholesome environment, and he felt the City should find some method of regulating the operators in order to provide a continuum of care, perhaps through agreements similar to those made with businesses at the beach.

**Action:** Staff to investigate.

7. Grants for Trees and Landscaping

Commissioner Katz understood there were some federal and State grants available for trees and landscaping. She planned to investigate and provide the information to staff so the City could take advantage of these grants.

**Action:** As discussed.

8. Landscaping on Sunrise and Broward Boulevards

Commissioner Smith asked if landscaping was planned for Sunrise Boulevard. The City Manager said he had brought the issue to the attention of the County and the Florida Department of Transportation. Mayor Naugle desired information about landscaping on Broward Boulevard as well.

**Action:** Staff to provide report.

9. Public Transportation

Commissioner Smith noted that everyone had been pushing hard for some mass transit, and he had been challenged to take mass transit himself for the next week. He had found the bus trip pleasant this morning, but he did not believe there was an evening bus. Commissioner Smith planned to report his experiences at the next meeting.

**Action:** As discussed.

10. Property Near New Home Depot Store

Commissioner Smith reported that there was a piece of land at the corner of Northeast 4<sup>th</sup> Avenue and Sunrise Boulevard, adjacent to the Home Depot property. The land was owned by the State, and it might be willing to turn it over to the City for recreational open space. He also wanted to explore acquisition of the Cole Muffler property. Commissioner Moore said his only concern was that the muffler property might have some environmental issues. Mayor Naugle suggested that Commissioner Smith work with the City Manager in this regard and provide a Conference report. Commissioner Moore noted that there were some CAP initiatives in the community, including a community center.

The City Manager stated that there was no such thing as "free land," but staff had been exploring the possibilities. He noted that the project at Warfield Park might not completely meet the needs of the community, and this was being examined as part of the CAP initiative. Commissioner Smith did not want to wait too long because this was a once in a lifetime opportunity.

**Action:** As discussed.

11. State of the City Address

Mayor Naugle invited the Commissioners to let him know if there were any specific accomplishments in their districts that they would like him to mention during the State of the City Address on January 28, 2002.

**V – City Manager Reports**

1. Proposed Use of Budget Inn on State Road 84

The City Manager reported that staff had met with Sean Cononie about the proposed use of the Budget Inn on State Road 84. Mr. Witschen explained advised that the front of the subject property was zoned B-2, and the rear was zoned RM-15. It appeared a social service facility was proposed, and that would require the approval of the Planning & Zoning Board and the City Commission. He advised that staff would be diligent and remain alert to the issue. Mayor Naugle pointed out that the group had been advised of the challenges to the potential use, so if they closed on the property, they would do so with full knowledge. Mr. Witschen believed closing was scheduled for April 1, 2002, and staff would provide updates. The City Manager said that during the course of the first meeting, there had been a veiled threat of potential negative publicity. He had let them know that Fort Lauderdale was not a City opposed to those who were in need of such services, but they had to be delivered in a place that was appropriately zoned for the use.

**Action:** As discussed.  
Meeting adjourned at 5:57 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.